

**REMARKS**

Claims 24-27 are added herein. Claims 22-27 now remain pending in the application.

**Abstract of the Disclosure**

The Office Action objected to the Abstract of the Disclosure for allegedly not reflecting the present embodiment of the Applicants' claims.

A new Abstract of the Disclosure is attached hereto. Please cancel originally filed Abstract of the disclosure and replace it with the newly submitted Abstract of the Disclosure attached hereto.

**Title**

The Office Action objected to the Title of the Invention as allegedly non-descriptive.

The Title of the Invention is amended herein to be more descriptive of the claimed features.

**Claims 22 and 23 over Franz**

In the Office Action, claims 22 and 23 were rejected under 35 U.S.C. §102(b) as allegedly being obvious over International Publication No. WO 98/3760 ("Franz"). The Applicants respectfully traverse the rejection.

Claims 22 and 23 recite a system and method of dialing a telephone number for a recipient and telephonically alerting the recipient of a received electronic message if a current time corresponds to a predetermined time at which to alert the recipient.

Franz appears to disclose a system that monitors incoming mail and determines which of the incoming mail is critical (See Abstract). An E-mail box server filters incoming E-mail messages based on a customized filter criteria comprising a particular intended recipient, a particular sender, and/or words, phrases, or data, coded or otherwise, located in various fields of an E-mail (See Franz, page 6, lines 12-21). A server initiates outbound telephone calls to notify a user of an urgent E-mail through communication devices (See Franz, page 6,

lines 21-30). A technician can log in at the beginning of a shift to notify a server's database that the technician can be contacted if any filtered messages are received from any equipment in a region (See Franz, col. 7, lines 1-9).

Franz discloses a system and method of monitoring E-mail messages for a determination of urgent messages, a notification of the urgent E-mail message being providing to a user. Franz's user may log in at the beginning of a shift to give a server notification of a user's availability to receive an urgent E-mail message. However, Franz fails disclose or suggest use of a predetermined time at which to alert the recipient, i.e., a system and method of dialing a telephone number for a recipient and telephonically alerting the recipient of a received electronic message if a current time corresponds to a predetermined time at which to alert the recipient, as recited by claims 22 and 23.

A benefit of a system and method of dialing a telephone number for a recipient and telephonically alerting the recipient of a received electronic message if a current time corresponds to a predetermined time at which to alert the recipient is, e.g., convenience for a user. A user may only want to be disturbed with urgent electronic messages during certain hours of a day. Thus, by limiting an alert to if a current time corresponds to a predetermined time for which to alert the recipient the recipient can listen to alerts at a time when it is most convenient to the recipient. The cited prior art fails to disclose or suggest the claimed features having such benefits.

Accordingly, for at least all the above reasons, claims 22 and 23 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

#### **Claims 22 and 23 over Owens**

In the Office Action, claims 22 and 23 were rejected under 35 U.S.C. §102(b) as allegedly being obvious over U.S. Patent No. 6,633,630 ("Owens"). The Applicants respectfully traverse the rejection.

Claims 22 and 23 recite a system and method of dialing a telephone number for a recipient and telephonically alerting the recipient of a

received electronic message if a current time corresponds to a predetermined time at which to alert the recipient.

Owens appears to disclose a system and method for integrating electronic mail, voice mail, and fax mail in a universal mailbox that allows automated access of messages with a telephone (See Abstract). Filters for filtering Email originating Email addresses and subject keyword (See Fig. 8 and accompanying text).

Thus, Owens discloses a system and method of automating access to Email by a telephone, the Emails being filtered by Email addresses and subject keyword. However, Owens, like Franz, fails disclose or suggest use of a predetermined time at which to alert the recipient, i.e., a system and method of dialing a telephone number for a recipient and telephonically alerting the recipient of a received electronic message if a current time corresponds to a predetermined time at which to alert the recipient, as recited by claims 22 and 23.

Accordingly, for at least all the above reasons, claims 22 and 23 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

**Conclusion**

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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